

POLICING THE URBAN SPACE: AMSTERDAM, 1795-1820

Martijn van der Burg, Universiteit Leiden

Introduction

This paper is part of an ongoing research project that examines the development of urban public services in the Low Countries, c. 1500-1800.¹ Nowadays public services are regarded as provisions regulated, provided or financed by the state. Civil servants, either employed by the central state or local authorities, manage and supervise these services in a more or less uniform manner and under conditions that are laid down by the government. Yet this modern conception can not be applied to the early modern era. There are two striking differences. First of all, virtually all public services in the early modern era were characterized by their urban nature. Hardly any service was provisioned by provincial or central authorities. Second of all, the urban government was responsible for just a fraction of all public services. Civil services were equally provided by individual citizens, corporations, religious organizations or neighbourhood associations. A wide range of public services was provided, ranging from sanitation to medical care and poor relief to the incarceration of criminals. The daily keeping of the public peace – the subject of this paper – was also an important service provided by urban governments. But public security was not a purely official affair; as was the case with many public services, there was a certain division of tasks between the government, civil corporations and individual citizens.²

In this paper I will analyze the transition of the traditional system of urban policing to the modern institution called ‘police’ between 1780 and 1820. I center my attention on the introduction of the modern police in Amsterdam because this city served as an experimental garden in these years. New regulations concerning policing were often tried out in Amsterdam before applying them to the rest of the country. Exploring Amsterdam’s changing policing system therefore provides an opportunity to shed light on the general development of public services around 1800. In which way was Amsterdam’s traditional policing system – an amalgam of strictly local institutions – transformed into a centralized police force?

Why should one be interested in the late eighteenth and early nineteenth century when it comes to public services? The years around 1800 are extremely important for the provisioning of public services, both on a local and a national scale. Firstly, *intra muros*, new conceptions of the role of citizens within the city changed the nature of public services. The relationship between civil corporations and the local authorities was put into question. The early modern city had always been a ‘super corporation’, to use the words of Maarten Prak, it consisted of many corporate institutions that had a fair amount of autonomy within the city.³ Nevertheless, corporations like the guilds and civic militias, often dating back to the Middle Ages, that had

¹ *Civil Services and Urban Communities*, project led by Manon van der Heijden, Leiden University. <http://www.hum.leiden.edu/history/csuc/>

² Manon van der Heijden, ‘Publieke voorzieningen in de Republiek: gedeelde verantwoordelijkheid’, *Leidschrift* 23 (2008) n. 2.

³ Maarten Prak, *Republikeinse veelheid, democratisch enkelvoud. Sociale verandering in het Revolutietijdvak, 's-Hertogenbosch 1770-1820* (Nijmegen, 1999), 23.

been rather autonomous semi-public bodies within the city, lost much of their authority in the late 18th century. Secondly, *extra muros*, the autonomy of cities was brought under discussion. Especially with the Batavian Revolution of 1795 the ideal of the central state gained momentum. Of course, there was no consensus on the actual strength of the central state – in relation to the competences of provinces and municipalities – but the fact that the Netherlands had to be a ‘one and undividable Republic’ was uncontested. Thus, we can see an appropriation of public services by the central government – or at least attempts to appropriate these services. Numerous public services were transferred to the central state, such as primary education and the Registry of Births, Deaths and Marriages. In fact the ‘citizenship revolution’ of the late eighteenth century (as Peter Sahlins has called this process)⁴ or the ‘inflation of citizenship’⁵ undermined the very rationale of urban autonomy: every ‘honest’ individual was a citizen, and the state represented the entire society – not just a small number of burghers or corporations. As a result the central state was expected care for all public services.

In this paper I will use the keeping of the public order as a case study in order to deepen our understanding of the development of public services around 1800. This paper begins with a discussion of the early-modern policing system and examines the general attitudes towards maintaining order and the division of tasks. Given the character of the early modern city, the public peace was not simply kept by one institution. Individual citizens, corporations and (semi-)governmental bodies all policed the early modern city. For the sake of convenience, social control by individual citizens and neighborhoods will be disregarded – partly because social control is only a part of urban policing, partly because of a lack of sources. The institutions that will be discussed are the sheriff and his men, the civic militias and the night watch. The paper then looks chronologically at the transformations within the system between 1795 and 1810. In these years the civil corporations were disbanded to a certain extent and the offices of sheriff and aldermen replaced by revolutionary committees.

Next the introduction of the modern Napoleonic police will be dealt with. The Napoleonic era witnessed the eradication of urban autonomy and civil corporations. Whereas the radical Batavians and Louis Bonaparte only partly succeeded in strengthening the central state, the French Emperor introduced an effective and modern police force loyal to Paris. It is important to note that the origins of the Dutch police between 1810 and 1813 have not received much attention in recent historiography.⁶ Recently the series *Geschiedenis van de Nederlandse politie* has been published, supervised by Cyrille Fijnaut, who also has written the first part (entitled *Een staatsinstelling in de maalstroom van de geschiedenis*) which is a synthesis of Dutch policing history.⁷ Fijnaut’s study has some drawbacks. He focuses mainly on the legal grounds of the

⁴ Peter Sahlins, *Unnaturally French: foreign citizens in the Old Regime and after* (Ithaca, 2004), 202-212.

⁵ Joost Kloek en Wijnand Mijnhardt, *1800: Blaudrukken voor een samenleving* (Den Haag 2001) 158.

⁶ Most studies date back to the first half of the 20th century, e.g. A. Basting, *Opbouw en geschiedenis van het Nederlandsche politiewezen, volgens officieele bescheiden* (Maastricht, 1933); N. Groeneweg, *Van Nachtwacht tot Computermacht. Vijftig eeuwen politie en justitie* (Zaltbommel, 1976); J.W. Haarman, *Geschiedenis en inrichting der politie in Nederland : met eenige aanteekeningen omtrent de politie in andere landen* (Alphen aan den Rijn, 1933); J.C. Heyligers, *Het politiewezen in Nederland* (’s-Gravenhage, 1883); H.J. Versteeg, *Van schout tot hoofdcommissaris: de politie voorheen en thans* (Amsterdam, 1925). Currently Paul Knevel and Guus Meershoek are working on a general history of policing in Amsterdam.

⁷ Cyrille Fijnaut, *Een staatsinstelling in de maalstroom van de geschiedenis* (Amsterdam, 2007).

police and pays little attention to the important decades preceding the establishment of the modern police force in the 1810's. Also, the synthesis is written from the perspective of the central government in The Hague. Johan Joor's doctoral dissertation *De Adelaar en het Lam* is one of the few monographs dealing with police repression and popular protest between 1806 and 1813, but does not provide new insights into the changing policing system.⁸ A little known book written by A.M.C. Emich is very informative but sketchy.⁹

Following Waterloo the Dutch had to choose: maintain the centralized Napoleonic system (highly hierarchical and centralized, hostile towards civil interference) or return to the federal system (less hierarchical and centralized, pro-civil initiative). In fact, the government did both. Indeed, it is important to note that the development of public services was not linear. In a newly published book, I have argued that after 1813 in the process of state formation the Dutch constructed a centralized state which delegated power to regional and local authorities – in contrast to the French model that favored (and still does favor) central institutions over delegating power to municipal and regional administrations.¹⁰ Of course there were tensions between local, regional and central institutions but in this 'Dutch model' the involvement of the central government in The Hague remained rather small and local authorities had a relative autonomy. Importantly, corporations like the guilds and the civic militias were in fact renewed in 1815. This policy strongly influenced the development of public services in the early 19th century.

Policing early modern Amsterdam

In the 16th century the *schout* (sheriff) was responsible for policing the city, criminal prosecution and the execution of sentences. *Schepenen* (aldermen) served as a court of justice, while the burgomasters were in charge of day-to-day administration. Sherriff, aldermen and burgomasters together – called the *gerecht, weth* or *magistraat* – made the urban by-laws. Importantly, the sheriff formally acted as president of the *magistraat*.¹¹ He represented the central government and was appointed by the Counts of Holland. But in 1564 Amsterdam obtained the right appoint the sheriff itself, as did many other Dutch cities.¹² From that moment onwards burgomasters were responsible for the policy on law and order. The office of sheriff was rendered into a prestigious job for the urban elite and a useful leg up to the burgomaster's seat. On average a *schout* (or

⁸ Johan Joor, *De Adelaar en het Lam: onrust, opruiing en onwilligheid in Nederland ten tijde van het Koninkrijk Holland en de inlijving bij het Franse keizerrijk (1806-1813)* (Amsterdam, 2000). Currently Paul Knevel and Guus Meershoeck are working on a history of policing in Amsterdam.

⁹ A.M.C. Emich, *Gezag in wording: een studie over de organisatie van de politie tussen 1795 en 1825* (Apeldoorn, 1995).

¹⁰ I have studied how numerous public services (like primary schools, provincial universities, registration of births, marriages and deaths) were appropriated by the emerging central state. The Napoleonic era in particular witnessed a clash between Dutch ideas on polity and the highly hierarchical French notions of state administration. On the one hand Napoleonic institutions were adapted to the local circumstances; on the other hand French innovations were also welcomed to modernize society. Martijn van der Burg, *Nederland onder Franse invloed. Culturele overdracht en staatsvorming in de napoleontische tijd, 1799-1813* (Amsterdam, 2009).

¹¹ Anthony Henrik Martens van Sevenhoven, *De justitieele colleges in de steden en op het platteland van Holland, 1795-1811* (Utrecht, 1912) 7-8; Henk van Nierop, 'Popular participation in politics in the Dutch Republic', In Peter Blickle (ed.), *Resistance, representation and community* (Oxford, 1997), 272-290, 276-277.

¹² Emich, *Gezag in wording*, 15.

hoofdofficier, as he was called in the 18th century) stayed on for eight years.¹³ De *hoofdofficier* was far less powerful than his medieval predecessor, but well into the 18th century, he was still highest in the official hierarchy, having been the representative of the Duke of Holland.¹⁴ A sheriff was forbidden to hold any other profitable office. From 1681 onwards his salary was docked, this because he earned a fair additional income from the fines and from the practice of *composeeren*: reaching a understanding with apprehended culprits. Offenders were permitted to pay money for being discharged from further prosecution. The more serious the crime, the higher amount a sheriff could demand. Though sheriffs denied making a lot of money, this was a profitable practice. Catching cheating spouses proved to be particularly lucrative, just as tax fraud, public sex and acts of violence.¹⁵

The Amsterdam sheriff was aided by several *substituutschouten* (deputies) who were usually appointed for life. Their total grew from two around 1600 to five around 1650, of whom one *waterschout* who patrolled the waters, the busy harbours and the shores of the IJ-estuary. In 1765 a sixth deputy was as added and every deputy was assigned as specific district. Consequently tasks were divided: the *hoofdofficier* retreated from the day-to-day surveillance and the importance of his deputies grew.¹⁶ They had the right of *compositie* of penalties up to 6 guilders. Furthermore, the sheriff and his deputies had the disposal of so-called *dienaren* who were appointed by the burgomasters. These *rakkers*, as they were colloquially referred to, were the actual policemen in charge of guarding the civil order, catching thieves and making sure citizens obeyed the law. The 31 *dienaren* (the sheriff disposed of 13, each deputy of 3) earned a modest income and received *sluitgeld* for every person they arrested of which half would go to the sheriff.¹⁷

Amsterdam's police force was very small. City authorities had to rely on a complex system of (informal) policing based upon civic participation. Citizens were expected to keep a sharp eye on violations of public order and assist the sheriff if necessary.¹⁸ In the following, I will centre my attention on two institutions: the civic militias and the night watch.

Civic militias

Amsterdam's *schutterij* (militias) or *schuttersgilde* (literally: shooting guilds) dated from the 14th century. From 1481 the city had three *schutterijen* that were composed of well-to-do citizens. These guilds, like elsewhere in Europe, were in no way genuine military units, but mainly served

¹³ The official term was three years, but this was almost always tacitly renewed. Maarten Hell, 'Revolte, rust en revolutie', In Willem Frijhoff and Maarten Prak (eds.), *Geschiedenis van Amsterdam, deel II-1: Centrum van de wereld 1578-1650* (Amsterdam, 2004) 309-375, 310-311.

¹⁴ Maarten Hell, 'De Oude Geuzen en de Opstand. Politiek en lokaal bestuur in de tijd van oorlog en expansie 1578-1650', In Willem Frijhoff and Maarten Prak (eds.), *Geschiedenis van Amsterdam, deel II-1: Centrum van de wereld 1578-1650* (Amsterdam, 2004) 241-297, 250-251.

¹⁵ Versteeg, *Van schout tot hoofdcommissaris*, 7-8.

¹⁶ Hell, 'Revolte', 322-324.

¹⁷ Versteeg, *Van schout tot hoofdcommissaris*, 10-14.

¹⁸ These were moral obligations; many Dutch authors stressed that virtuous acts of public service were key to the preservation of civic liberty and the promotion of the common good. Martin van Gelderen, 'Liberty, civic rights and duties in sixteenth-century Europe and the rise of the Dutch Republic', In Janet Coleman (ed.), *The individual in political theory and practice* (Oxford, 1996) 99-122, 118-120.

as a platform for sociability and had a ceremonial function.¹⁹ After the Dutch Revolt however, the *schutterijen* in the Northern Netherlands, Amsterdam in particular, changed considerably. During the Revolt, Amsterdam had been a Spanish stronghold which continued to be loyal to the Spanish king. However, in May 1578, the largely Catholic administration was removed by a revolutionary (Calvinist) town council – a regime change that was made possible by the traditional *schuttersgilden*.²⁰ Following these events the three traditional *schuttersgilden* were reorganized in order to strengthen the power of the new city government, which was aware that the civic militias could be used to restore law and order. Amsterdam's civic militias became less exclusive. Given that the Dutch were at war, every capable man was welcome to defend the city. Since citizenship was no longer a requirement, this gave rise to a new *Gewapende Burgermacht* (Armed citizen forces) that consisted of eleven so-called *burgervendels*. These gradually merged with the three ancient shooting guilds but were named *schutterijen* after their medieval predecessors all the same.²¹

Between 1578 and 1580 in virtually every city of the Province of Holland the elite *schuttersgilden* became citizen's forces; or as one author from Rotterdam put it, all the *schutterijen* were 'turned into gangs'.²² Every capable man, whether citizen or not, was expected to defend his city. Theoretically every healthy Amsterdammer between 18 and 60 year old who could afford a weapon was called to arms. In reality however, men paying an extra tax (*contribuantengeld*) could be exempted from service. Many inhabitants, like Baptists, city officials, medics or notaries, could also obtain exemption. And since every *schutter* was expected to pay for its own military equipment, the poorest citizens were unable to join the *schutterij*. Though the officers sometimes turned a blind eye to this obligation, the militia mainly consisted of the urban middle-class, like carpenters, smiths and bakers.²³

The militias did not have day-to-day policing tasks. Nonetheless the *schutterij* was a force to be reckoned with. In times of need the burgomasters could fall back on the civic militias, but at the same time the militia members were a potential threat. Therefore the *krijgsraad* (the board of commanding officers) was orchestrated by the city government that outlined militia policy – partly because most officers came from the close circle of the administration. Incidentally, when militia members refused to take armed action against fellow citizens, the urban government was forced to attract so-called *waardgelders* from outside Amsterdam. *Waardgelders* were paid employees and seen as an infringement on the privileges of the civic militias and an violation of civic pride. 'How could hired non-citizens defend the city?', militia members complained. Worse, *waardgelders* had not engaged themselves on oath to the city administration. And indeed most of the hired guards were not remarkable for skill so the militias were given preference to.

¹⁹ Maarten Prak, 'Burgers onder de wapenen, van de zestiende tot de achttiende eeuw', In *Tijdschrift voor Sociale Geschiedenis*, 23 (1997) 1-11, 4-6.

²⁰ Henk van Nierop, *Het foute Amsterdam* (Amsterdam, 2000) 7.

²¹ Hell, 'De Oude Geuzen', 260.

²² Maarten Prak, *Gouden Eeuw. Het raadsel van de Republiek* (Nijmegen, 2002) 172-173.

²³ Paul Knevel, 'Onder gewapende burgers. Over de belevingswereld van de zeventiende-eeuwse schutter', In *Tijdschrift voor Sociale Geschiedenis*, 23 (1997) 41-51, 42-44.

On the whole, it has to be emphasized that the civic militias were trusty allies of the city authorities. Amsterdam's armed citizens have restored order in their city many times.²⁴

The night watch

From dusk till dawn a complementary police force patrolled the city streets: the *ratelwacht* (rattle watch). The origins of the nightly watch are rather unclear. The *ratelwacht* probably dates back to the medieval *buerwaeck* of *wake* (neighbourhood watch). Originally these were temporary civil organizations that made their rounds in times of needs, particularly at night, whose members were paid a small sum as compensation. In the 16th century this institution was hardly active but it was revived in 1566. As from 24 August 1566 the newly formed *ratelwacht* became permanent and importantly, henceforth every citizen was expected to volunteer for the night watch.²⁵

When the civic militias were reformed in the 1580's the compulsory night shifts became the responsibility of the armed citizens. Guarding the city at night was one of the most characteristic duties of the militias; this nocturnal guard was called *de nachtwacht* or *ruiterwacht*. On average a militia member had a night watch shift once or twice a month. The night watch was strictly regulated. Printed city ordinances contained clearly defined assignments for the guards, and many of them bought special almanacs that included duty rosters and practical information, for instance on weaponry.

Nevertheless, the *ratelwachten* remained on active service as sidekicks of the militia members. The nightly surveillance of the streets of Amsterdam was partly delegated to common Amsterdammers that had a day job but also worked as night guards – not as volunteers this time, but as urban employees. The *ratelwachten* formed an own organization, based upon the civic militias, and were supervised by the commanding officers of the militias. Its neighbourhood system followed that of the militias but each *schutterswijk* was divided into two rattle watch neighbourhoods. Civic militias disposed of considerable additional forces: in contrast to other towns, Amsterdam's *ratelwacht* outnumbered the *nachtwacht*, the latter never comprising more than thirty men. The *ratelwacht* however grew from 158 guards in 1628 to 480 men in 1685. There was no official division of tasks but in general the *ratelwacht* patrolled the city streets as a preventive measure while the militias guarded strategic points like the city gates.²⁶

Rattle watcher was an unpopular job. Night-time guards were usually drawn from the neediest of inhabitants who watched their neighbourhoods for a small fee. The most important duty was to apprehend nightly burglars, thieves and disturbers of the peace who had to be handed over to the sheriff and his men. Night guard received little payment (certainly in comparison to the day-time *dienaren* of the sheriff) since, according to public opinion, everyone could do the job.²⁷ Because the night watch was composed of the lower strata of society, it had a very bad reputation. It was the common opinion that *ratelwachten* often stroke bargains with criminals,

²⁴ P. Knevel, 'De politieke invloed van de Hollandse schutterijen in de eerste helft van de zeventiende eeuw', In *Holland, historisch tijdschrift*, 20 (1988) 158-174, 160-162, 172-173.

²⁵ Gouw, *Geschiedenis van Amsterdam. Derde deel*, 291-293; Gouw, *Geschiedenis van Amsterdam. Vijfde deel*, 119-120; 288-289.

²⁶ Knevel, *Burgers in het geweer*, 220-226.

²⁷ Versteeg, *Van schout tot hoofdcommissaris*, 106-110.

held innocent people hostage and regularly visited prostitutes. The militia members especially had contempt for the rattle watchers who were paid for activities they had to do for free.²⁸

Although militia members may have looked down upon the rattle watch, it was in fact their reluctance that led to an ever growing number of paid guards. As more *schutters* refused to take part in the night watch, additional guards had to be hired. As a matter of fact the *ratelwacht* was financed by militia members who bought off their nightly shifts.²⁹ During the 18th century the night watch system was reorganized, because in most Dutch cities the civic militias retired from the *nachtwacht* duties. In 1647 the city government in Alkmaar went as far as abolishing the night watch altogether and relying solely on paid guards. Only during moments of civil unrest in 1653, 1672 and 1734 the militias were temporarily called to night watch duty.³⁰ In Amsterdam the night watch was never suspended as in Alkmaar, but in practice the paid guards watched over the city at night. The name *ratelwacht* disappeared in the 18th century and the nocturnal guards were simply referred to as the *nachtwacht* – an indication that it had become the most important corps that protected the citizenry at night. In 1808 Amsterdam disposed of 654 *nachtwachts* and each night 228 of them patrolled the streets.³¹

Revolution and tradition, 1795-1805

With the Batavian Revolution of 1795 the Republic of the Seven United Netherlands came to an end. The Batavian revolutionaries demanded an administration that was truly ‘national’. Local corporations had no place in the utopian future they envisioned.³² With the revolution came the ideal of separating the tasks of the sheriff and burgomasters. The policy on policing became the responsibility of two committees.³³ The aldermen were replaced by the *Committé van Justitie*; a *procureur* headed the committee. The *Committé van Algemeene Waakzaamheid* (Committee of General Vigilance) together with a *maire* had the duty of preserving law and order. They had the police force at their disposal. To facilitate the repression of rebellious citizens the committee could also call on the armed forces.³⁴ The police force itself was left intact. The same goes for the night watch. As said it had a very bad reputation in early-modern Amsterdam. But surprisingly after the Revolution of 1795 no one questioned the ratio of the *nachtwacht*’s existence. The organization had many flaws, was public opinion, but at the same time it was indispensable. Night guards were summoned to carry on as usual.³⁵ Supervising the night watch now became the responsibility of the Committee of General Vigilance. The committee discussed the shortcomings

²⁸ Knevel, ‘Onder gewapende burgers’, 50-51.

²⁹ Versteeg, *Van schout tot hoofdcommissaris*, 105.

³⁰ Knevel, *Burgers in het geweer*, 231-232.

³¹ GAA, 5225, (Politiearchief) inv.nr. 1068.

³² Stephan Klein, ‘De sprong naar ’95. Van patriots naar Bataafs republikenisme’, In *De Achttiende Eeuw*, 1-2 (1996) 39-46.

³³ To use the words of Emich, *Gezag in wording*, 25-26.

³⁴ *Instructie voor het Committé van Algemeene Waakzaamheid* (Amsterdam, 1795) art. 3; art. 6.

³⁵ GAA, 5053 (Nieuw Stedelijk Bestuur), inv.nr. 979, fol. 4.

and several night guards were brought to account.³⁶ Many took the opportunity to air their grievances; a large number of guards complained that colleagues neglected their duties.³⁷

The local civic militias had lost most of their authority after the failed patriot experiments of the 1780's, but the authorities recognized militias still had a lot of potential. The new municipal administration of Amsterdam, which drew from the higher middle class and elite, struggled with more radical elements within the urban community.³⁸ Armed citizens set themselves up as the defenders of the lower classes and urged the popular representatives of Amsterdam to tend to the needs of the poor.³⁹ To ensure the militias remained loyal to the urban government new regiments were called into life; these were no longer linked to specific neighbourhoods. The militias of the 60 traditional *wijken* were divided in two and randomly distributed over 15 battalions and a cavalry and artillery corps was added.⁴⁰

In The Hague national regulations were drawn up. On 11 November 1796 the National Assembly decided that a new *Bataafsche Gewapende Macht* was to be established under its command – alongside and modelled after the national army. ‘But do not think, fellow citizens, that we call you to arms, in order to go to battle’, the National Assembly assured. This armed force made up by citizens had to defend the republic, it claimed, by bringing together all able and healthy men in case of an enemy attack. The new organization was to replace the old civic militias and in fact resembled the traditional *schutterijen*. All men between the ages of 18 and 45 were considered eligible. Exempted were students, members of the clergy, schoolmasters, civil servants and those who could not participate on religious grounds (mainly Baptists). In addition the local authorities could exempt people at their own discretion.⁴¹ Armed citizens could elect the commanding officers, as was the case with the old militias. But unlike the militias, commanding the new local armed forces was no longer the prerogative of the urban administration, much to the disapproval of Amsterdam. The new National Guard was an intrusion on the local diversity and prerogatives, Amsterdam complained.⁴² Needless to say other town councils were also not very enthusiastic.

It took quite some time before the old *schutterijen* were disbanded and the new armed forces installed. In Amsterdam a special committee supervised the dismantlement of the old civic militias from 1797. But most the captains of the 60 former *vendels* were by no means cooperative. The officers had to sign a ‘Act of Submission’, hand over all weaponry and equipment and transfer their funds to the city. Each session of the committee four captains were summoned to sign the act.⁴³ A number of captains refused to appear, others did not want to sign and many only complied after a fair amount of protest. It took until 1800 before this process was

³⁶ GAA, 5053, inv.nr. 973, fol. 19-20, 27. The *nachtwacht* was also accountable to the *Comité of Algemeen Welzijn* (Committee of General Welbeing) which indicates that the organization was in the public interest and not just a small part of policing.

³⁷ GAA, 5053, inv.nr. 978.

³⁸ Thomas Poell, ‘Het einde van een tijdperk. De Bataafs-Franse tijd 1795-1813’, In Willem Frijhoff and Maarten Prak (eds.), *Geschiedenis van Amsterdam, deel II-2: Zelfbewuste stadstaat 1650-1813* (Amsterdam, 2005) 429-516, 449-453.

³⁹ GAA, 5053, inv.nr. 127, fol. 25-26.

⁴⁰ Jochems, *Amsterdams oude burgervendels*, 176.

⁴¹ *Decreten van de Nationale Vergadering*, 10 October 1796, 11 November 1796.

⁴² Prak, *Republikeinse veelheid, democratisch enkelvoud*, 266-268.

⁴³ GAA, 5053, fol. 9.

finished. In this way the original civic militias were dismantled, not only in Amsterdam but in all parts of the Batavian Republic. Everywhere new militias (now part of the *Bataafsche Gewapende Burgermacht*) were organized. It has to be emphasized that the members of the new militias were not necessarily the same as those of the old organization, but research into the Armed Citizenry of Den Bosch, by Maarten Prak shows that the social profile of the new institution resembled that of the pre-1796 *schutterijen*: they were mainly composed of middle-class citizens in their twenties to forties.⁴⁴

Meanwhile in January 1798 radical Batavians had come into power and aspired a centralized republic. Since they wanted to break completely with the old regime, all civic militias that had not yet been disbanded were once again prohibited.⁴⁵ From that moment the civil armed forces and the national troops were considered as one military force, that had to be equipped with the same weaponry and trained in the same fashion. The only difference was that the civil armed forces had to be supplied and organized by the local authorities, unlike the national army.⁴⁶ Since the national army and the national guard were considered one corps, the senior urban commanding officer (whether a civilian or military officer) became the highest in command; this was a radical break with tradition because officers were no longer elected.⁴⁷ In times of need every man aged 18 or above was forced to participate, regardless of his political or religious background. The main objective of the armed citizens was the protection of 'Body, Life, Honor and Property; only in case of an enemy attack on the Batavian Republic citizens would be deployed as an offence army.⁴⁸ In short, the local militias were rendered into a semi-military organization that was indeed used in warfare when English and Russian troupes invaded in 1799.

In order to uniform all local police forces the *Agentschap van Inwendige Politie* (a precursor to the Ministry of Police) was established. The new constitution however made the departments (the former provinces) responsible for 'good order and police'. Furthermore, it aimed to reintroduce the *schout*, appointed by the departments but accountable to the Agent of Police. This proved to be unfeasible; until 1801 there were no formal regulations as to policing on a local level, and even then in large parts of the Batavian Republic the traditional policing system was still functioning.⁴⁹ From 1801 onwards, after another putsch, the central government gave more autonomy to the departments and municipalities. The *Agentschap* of Police was dismantled and every department had to draw up its own policing regulation. Of great importance were the regulations that the Department of Holland had stipulated in 1802 and 1803, since these would serve as a blueprint for the entire Dutch police organization up to 1810. The department chose to merge the offices of *procureur* and *maire* to *hoofdofficier*: in fact a new style of sheriff. The leading idea was that it was unpractical to make a distinction between the sheriff as head of police, and the *hoofdofficier* as public prosecutor.⁵⁰ Amsterdam's administration was altered on 3 June 1803 and also received the combined *schout* and *hoofdofficier*, meaning that the new-styled

⁴⁴ Prak, *Republikeinse veelheid, democratisch enkelvoud*, 271-272.

⁴⁵ *Reglement voor de Gewapende Burgermacht* (In den Haag, 1799), 'Eerste hoofddeel: houdende algemeene bepalingen', art. 9.

⁴⁶ *Ibidem*, 'Eerste hoofddeel: houdende algemeene bepalingen', art. 1.

⁴⁷ *Ibidem*, 'Negende hoofddeel: over de plaatselyke wachten', art. 1-5.

⁴⁸ *Ibidem*, 'Eerste hoofddeel: houdende algemeene bepalingen', art. 3-5, 8.

⁴⁹ Emich, *Gezag in wording*, 29.

⁵⁰ *Ibidem*, 35.

sheriff had two superiors: on the one hand the urban government when it concerned public order, on the other hand the Department of Holland when it concerned criminal prosecution. The entire policing apparatus (armed citizens, night watch, *dienaren* and soldiers) had to take orders from him. Furthermore the *schepenbank*, the board of aldermen, was also revived. As before the sheriff presided over the aldermen but henceforth he had no say in the decisions of the board.⁵¹

This new arrangement meant that the departmental administration reserved the right to appoint the *hoofdofficier* of Amsterdam, which could only nominate three candidates. The urban government of Amsterdam complained that it had little say in the appointment of the *hoofdofficier*. It had drawn up own regulations which fell on deaf ears in the departmental administration. Amsterdam complained that it had wanted to restore the police ‘on the same footing as the old fundamental principles according to which Justice has been done in this City since several centuries’. The city council strongly disapproved of the centralized policing system that has been propagated since 1798, which had only led to ‘damaging clashes and excessive discord’.⁵² The urban government made a formal protest against the intrusion of the departmental council, arguing that from 1581 to 1795 appointing the *hoofdofficier* had been a fundamental right of the city officials. It also claimed it was at least entitled to compensation. However the central government as well as the National High Court dismissed Amsterdam’s claim.⁵³

As for the civic militias, the regulations of 1799 were tuned down in December 1803 and the idea of a national civic militia was disbanded altogether. One day a national organization would be called into life, in the meantime cities had to form ‘intermediary’ militias. In 1804 and 1805 the Department of Holland kept pushing the city authorities to organize a militia. But Amsterdam’s aldermen feared it would be a wasted effort and the existing ‘provisional’ militia was kept in place and expanded.⁵⁴ Furthermore Amsterdam took the view that the local customs should not be disregarded.⁵⁵ In 1805 Napoleon asked Grand Pensionary Rutger Jan Schimmelpenninck to reform the armed citizen’s forces into a ‘General National Guard’ that would not operate on a local but on a national scale. This alarmed the aldermen of Amsterdam who feared it would throw the population into commotion. But things were not as black as they seemed; the regulations of 5 June 1806 in fact consolidated the existing situation, while bringing some uniformity. Every town with at least 2,500 inhabitants (later this was figure was increased to 4,000 inhabitants) had to organize a battalion with a military structure, which could only be deployed within the town itself. Rotterdam and Amsterdam though, were to have two battalions. All men between the ages of 18 and 50 were expected to join the militia, again excluding men like students, doctors, clergymen and civil servants. Like before the militia members did not have day-to-day policing tasks. And yet again these regulations led to tensions between the urban and the national administration: officially the central government supervised the troupes, but the cities were in charge of the daily management.⁵⁶

⁵¹ Martens van Sevenhoven, *De justitieele colleges*, 35.

⁵² GAA, 5053, inv.nr. 615 fol. 25-39.

⁵³ Martens van Sevenhoven, *De justitieele colleges*, 139-142; Amsterdam complied and started the process of reintroducing the new style *schout en schepenen*. GAA, 5053, inv.nr. 615 fol. 98.

⁵⁴ GAA, 5053, inv.nr. 696, fol. 129-131; inv.nr. 615, fol. 301-303.

⁵⁵ GAA, 5053, inv.nr. 615, fol. 172-175.

⁵⁶ Joor, *De Adelaar en het Lam*, 284-286.

Alongside the renewal of the police force and the dismantlement of the *schutterijen* came a new *nachtwacht* framework. Significantly, the new Batavian militias did not have regular night watch duties. In fact the 1799 regulations stated that ‘the local armed civil corps will not be fatigued by needless day or night watch’ and the local authorities could call upon the armed citizens only in times of unrest.⁵⁷ Since the night watch was passed into the hands of the urban officials, in 1803 two members of the city council (H. Drost and C.C. Six) were commissioned to administer and improve the night watch. Their first measure was to cut the pensions of some retired guards and hire only ‘young and able men’. Numerous elderly citizens had taken the opportunity to serve just a few years as night guard. After becoming too old or handicapped they retired and pocketed the retirement fee. Drost and Six proposed to limit the payment to honest guards that had at least served actively 25 years. Night guards that were badly wounded or injured on the job could also receive payment.⁵⁸ This cutback in expenditure was of importance since the urban government had become the sole responsible body for funding the night watch.

Kingdom of Holland, 1806-1810

On 5 June 1806 the Batavian Republic was replaced by the Kingdom of Holland with Napoleon’s brother Louis Bonaparte at its head, but the policing system did not change fundamentally overnight. At first an attempt was made to reform the police on a national scale. This attempt was part of a larger Napoleonic scheme. After crushing his European rivals, Britain was the last adversary Napoleon wanted to defeat. Because of British supremacy on the seas, the emperor resorted to a form of economic warfare. In 1806 he declared that France and its client states had to sever all ties with Britain. This was a straightforward economic blockade of Great Britain with the intention to hurt its economy. Understandably the boycott touched a sore spot in Amsterdam, but the Netherlands lacked a central police force to control the blockade. To facilitate this Amsterdam, Rotterdam, Harlingen and Flushing received a so-called *commissaris-generaal van politie* that watched over the im- and export of goods, and reported possible espionage or other activities. In December 1807 Louis Bonaparte placed Cornelis Felix van Maanen at the head of the Ministry of Police and Justice who deemed this centralized police force undesirable and dismantled the system, making way for lower administrations. Local civil servants had to do the job without far-reaching powers.⁵⁹

After the failed national plans of 1806-1808, the government successfully focused on the local police forces. Three developments can be discerned at the local level. Firstly, from January 1808 onwards all towns with more than 5,000 inhabitants received a police organization that was based upon the one that was constructed in the Department of Holland in 1803. Maintaining law and order became the responsibility of the *hoofdofficier* (or *hoofdschout* or *baljuw* as he was called in other parts of the country). He became in charge of the decentralized police force, assisted by his deputies and *dienaren*.⁶⁰ When it concerned local and administrative matters he

⁵⁷ *Reglement voor de Gewapende Burgermacht*, ‘Negende hoofddeel: over de plaatselyke wachten’, art. 1-4.

⁵⁸ GAA, 5225, inv.nr. 1068, 6 September 1803.

⁵⁹ Emich, *Gezag in wording*, 45-46, 50-51.

⁶⁰ Because of the sharply declining trade the *waterschout* and his deputies (who patrolled the harbour) were retired, and the sheriff in 1806 stated he did not want to appoint new ones ‘as long as the shipping does not grow stronger’. GAA, 5061, inv.nr. 36, fol. 250, 320.

reported to and conferred with the urban administration; the Minister of Justice and Police became the highest judicial authority the sheriff had to answer to. The exact division of responsibilities between the burgomasters and sheriffs was vague. Burgomasters were responsible for ‘administrative affairs’, but in practice these were hard to define. And burgomasters were often appealed to as ‘civic fathers’, morally responsible for public security.⁶¹

Secondly, Amsterdam received a special complementary police force because king Louis was worried about possible insurgences against the government. He feared foreigners would incite the population to rebel. On 3 June 1808 a royal decree was issued that Amsterdam would receive one *inspecteur* of police and three *onderinspecteurs*, whose duty it was to oversee immigration. Newly arrived migrants had to report to the *onderinspecteurs* and in case of doubt they would be arrested. Citizens and *wijkmeesters* were ordered to inform the police in writing the moment should foreigners pass unnoticed. The policemen had to keep a registry of migrants. But the police not only focused on strangers. The suppression of illegal gambling, whoring and quacksalvering were only a few of the spearheads of the Amsterdam police. The *inspecteur* was in charge of writing reports and maintaining the registry. The sheriff supervised the police system and he corresponded with the Ministry in The Hague. Note that the *wijkmeesters* were not replaced by the police, nor included, but their tasks were slowly being taken over by the police inspectors. The same goes for the *dienaren* of the sheriff. During the summer of 1808 a carefully thought-out plan on Amsterdam’s police system was devised. Amsterdam was supposed to serve as a blueprint for a new professional Dutch police force, which would be a mix between the French and the Dutch system. The idea was to gradually merge the old and the new policing organization into one modern corps; with the *hoofdofficier* as first responsible, assisted by an *inspecteur*. The *hoofdofficier* was appointed by the Department of Holland, the *inspecteur* by the national authorities. The town council and burgomasters were in charge of the day-to-day management. The *onderinspecteurs* would take over the tasks of the *dienaren*. The organization was financed by the city.⁶²

Thirdly, the night watch was further regularized and expanded. Private guards (that guarded the suburbs) had to be removed and the number of regular guards increased, both in the city itself and in the outer neighbourhoods. Forty extra districts were created within the city, meaning the number of guards had to be increased by at least eighty men. An additional commissioner was appointed to oversee the new *buitenkwartieren*: the five new neighbourhoods that were created in the *banlieu*. Importantly, the salary of the guards had to be increased. The reward for night guards apprehending a criminal became the same as the reward the *dienaren* received. Understandably, the yearly budget of the night watch (which would grow from 60,000 tot 96,108 guilders) had to be balanced.⁶³ Partly the reorganization would pay for itself since, as the City Council had stated a few years earlier, more night guards meant less poverty; therefore fewer people would need social care or resort to criminal activities.⁶⁴ Between 1808 and 1810 the

⁶¹ Joor, *De Adelaar en het Lam* 574-575.

⁶² It is highly probable that Utrecht and The Hague quickly followed Amsterdam’s example. Emich, *Gezag in wording*, 52-55.

⁶³ GAA, 5225, inv.nr. 1068, 24 March 1808.

⁶⁴ GAA, 5053, inv.nr. 615, fol. 208-210.

number of permanent *nachtwachts* grew from 456 to 556, including 20 ‘undercover’ night guards.⁶⁵

Immediately following his appointment Louis Bonaparte was determined to speed up the reorganization of the militias. This led to agitation amongst the population: could this be a covert attempt to introduce conscription? Worried, many citizens chose not to sign up for the militias. They either ignored the call up for duty or made official protests. And remarkably many citizens produced a doctor’s certificate stating them to be ‘medically unfit’. Nevertheless Louis Bonaparte’s initiative did have some effect; many towns did introduce a militia of some sort that exercised on a regular basis.⁶⁶ Amsterdam was moderately content with the new regulations and suggested only a few alterations to adapt them to the local circumstances. The city council wanted burghers to train in the winter instead of the summer because many craftsmen were too busy in the summer. Also Amsterdam preferred a traditional *Krijgsraad* in which it would have a large say, but admitted this would be too costly. And finally the council intended to organize four battalions instead of two. The *Gewapende Burgermacht* of Amsterdam, that in 1806 counted roughly 835 men, would in this way grow to 2,428 militia members.⁶⁷

In April 1809 the king issued the *Wet op the Schutterijen* that differed from the 1806-regulations. Firstly the name *schutterijen* was reintroduced in order to make the reorganization seem like a return to tradition. Secondly, all municipalities (not only the largest town) were ordered to organize a civic militia. Thirdly, the new law made little exceptions: only clergymen, soldiers and very poor citizens were exempted from militia duty. Note that civil servants, who always had been excused, were summoned to join the local militias. In September of the same year the Louis Bonaparte issued a special decree concerning the *schutterij* of Amsterdam that led to much commotion. Formally Louis kept his promise not to introduce conscription but he tried to assure himself of additional troupes by a disguised form of draft. He wanted to recruit 2,000 ‘volunteers’ from Amsterdam’s militia which he would deploy outside of town. Not only did many citizens dodge the draft, their wives came together in protest at Dam Square inciting the inhabitants to rebel, wounding several soldiers in the process. King Louis was shocked by the female uprising and quickly aborted his attempt to turn the civic militias into paramilitary units.⁶⁸

The Napoleonic police and the Dutch departments

Napoleon became increasingly dissatisfied with his brother’s politics. The illegal trade with England and the shortage of Dutch soldiers were a thorn in his side. After French troops invaded Amsterdam on 24 June 1810, Louis abdicated the throne on 1 July. The Kingdom of Holland was absorbed into the French empire a few days later, which meant the policing organization of the French Empire would be implemented in the Dutch departments (as the former kingdom came to be called). The police force in the Dutch departments was led by a *directeur-générale* in

⁶⁵ GAA, 5225, inv.nr. 1068.

⁶⁶ According to Johan Joor the government supplied new weapons, replacing the old ones that often dated back to the Dutch Revolt. Perhaps Joor paints too positive a picture: Den Bosch for instance was left out in the cold when its distressed militia requested additional funds. Joor, *De Adelaar en het Lam*, 286-288; Prak, *Republikeinse veelheid, democratisch enkelvoud*, 275-276.

⁶⁷ GAA, 5053, inv.nr. 616, fol. 72-77; fol. 80-82.

⁶⁸ Joor, *De Adelaar en het Lam*, 289-291, 296-297.

Amsterdam, Paul-Etienne Devilliers Duterrage, who initially focussed on suppressing smuggle. It was decreed that the urban police was preserved on the existing footing.⁶⁹ Villiers Duterrage ordered the sheriff, its deputies and *dienaren* of Amsterdam to stay at their posts.⁷⁰

Meanwhile Napoleon was busy reorganising *la police* in the entire Empire. 25 March 1811 a new hierarchical system was implemented with five *directeurs générales* (three in Italy, one in Germany and Devilliers Duterrage in Holland) at the top, followed by a number of *commissaires générales* (in Holland in Rotterdam). Then came the ‘special’ *commissaires*, guarding the coasts (nine in Holland), and the ‘ordinary’ *commissaires particuliers des villes* in the cities (twelve in Amsterdam⁷¹). Also the aldermen and sheriffs were replaced by imperial courts and *procureurs* now that, unlike in the Dutch model, justice and police were formally separated: public order became the duty of the Napoleonic police. Via an elaborate bureaucracy an independent police organization, as well as a judicial system were created replacing the traditional urban model. In this way the Ministry of Police in Paris had direct access to every town, severely increasing the control of the central government on law and order – unprecedented in history.

Amsterdam was the only Dutch town that received a special organization, being the third of the three imperial capitals. Each of the twelve commissioners of police in Amsterdam was aided by an inspector of police, two sergeants and four agents of police. Also four *vredeofficieren* (peace officers) were appointed, each with two sergeants and two agents. In total the new Napoleonic police force numbered 116 men; all lower personnel (like the former *dienaren*) was distributed evenly over the commissioners and peace officers.⁷² The new organization was much larger than before. And besides the ordinary police force Amsterdam was home to 280 *gendarmes*, who could assist the police. The *gendarmes* were French regulars; Holland counted 127 brigades scattered over the country, each consisting of five to ten soldiers. The military *gendarmerie* could be called upon by the authorities, whether *maire* of a small municipality or the Governor himself, making it a swift, loyal and feared apparatus of repression.⁷³

Of course the Napoleonic police was not flawless. Like many other French institutions that were introduced in the Netherlands it suffered from a constant lack of resources.⁷⁴ All functionaries were appointed by the emperor, yet the financial burden lay on the cities as most police officials were on the urban payroll. The police organization of the Dutch *departements* was actually financed 50% by Paris and 50% by the urban government of Amsterdam.⁷⁵ Financial troubles thwarted the activities of the considerable police force. Amsterdam complained its funds were insufficient to pay for the commissioners, officers, agents and other policemen, after which the city was authorised to tap other urban funds in order to assure the payment of the police

⁶⁹ J.W. Haarman, *Geschiedenis en inrichting der politie in Nederland : met eenige aantekeningen omtrent de politie in andere landen* (Alphen aan den Rijn, 1933) 14-15.

⁷⁰ GAA, 5053, inv.nr. 850, fol. 129-130.

⁷¹ Rotterdam 5, Groningen 2, Dordrecht 2, Arnhem 1 and Nijmegen 1. Fijnaut, *Een staatsinstelling*, 50.

⁷² The exact duties of the peace officers are obscure but according to Emich they most likely performed the about same tasks as the deputy sheriffs. Emich, *Gezag in wording*, 63.

⁷³ Joor, *De Adelaar en het Lam*, 639-641.

⁷⁴ This goes especially for the French *Université impériale*. See Van der Burg, *Nederland onder Franse invloed*, chapter 6.

⁷⁵ Joor, *De Adelaar en het Lam*, 585, 593-601.

force.⁷⁶ Nevertheless the elaborated system of state repression, both *police* and *gendarmerie*, for several years functioned efficiently as one would expect in a police state.

What about the former civic corporation that had acted as a supplement to the local police force? From a French point of view the public order was to be kept by the government alone. But for the time being, Napoleon decided that all *schutterijen* would be kept following the regulations of 1806. The civic militias could be disbanded as soon as a Dutch National Guard was finally organized, though the authorities in fact often already referred to the militias as *Garde nationale*. The establishment of the National Guard went slowly because the militias frustrated the process. They would promptly be disbanded should the National Guard quickly be organized. This delaying tactic worked: the civic militias continued to exist during the entire Napoleonic era.⁷⁷ Exactly like in the years after the Batavian Revolution, the civic militias proved unreliable allies, frequently defying authorities instead of defending them. And in 1813 the well-armed militias and the National Guard indeed played a large part in the overthrow of the French regime.

The *nachtwacht* did not fit into the Napoleonic model.⁷⁸ Villiers Duterrage took great interest in its organization and wanted exact figures on the night watch. In August 1811 the *maire* did its utmost to preserve the night watch and solicited the *directeur générale* for maintaining it.⁷⁹ Villiers Duterrage however disbanded it shortly after.⁸⁰ Around the same time a new local armed corps was created. When the emperor visited Amsterdam on 22 October 1811 he decreed that both Amsterdam and Rotterdam were to establish a so-called *Garde soldée*, meaning a guard in salaried employment, consisting of 1253 men, mostly retired soldiers who Napoleon trusted more than ordinary citizens.⁸¹ The *maire* would supervise the guard and its members were to be under marching orders of the city commander. It is important to note that the imperial decree stipulated that the civic militias did not have to contribute men to the *Garde soldée*. Amsterdam started the formation of the *Garde soldée* in February 1812 and the first of April all men and tasks of the *nachtwacht* were transferred upon the *Garde soldée*.⁸² This means that the night watch actually continued its rounds as it had done for over two centuries albeit carrying a new name and being part of a larger organization. Of the 1253 men 556 could be drawn from the night watch. But recruiting the remaining 697 members of the *Garde soldée* was problematic. Many retired soldiers refused to serve and the government used the conscription to complete the guard. At first most drafted men were enthusiastic, thinking this would prevent Napoleon from sending them off to battle. But when in 1813 the government decided to add the guards to the military, the

⁷⁶ GAA, 5053, inv.nr. 826B, nr. 28.

⁷⁷ Officially the traditional civic militias were disbanded in October 1813, one month before the French withdrew from the Dutch departments. Joor, *De Adelaar en het Lam*, 626.

⁷⁸ Many authors are unsure what happened to the night watch, as the police archives are silent on the matter. Versteeg claims all night guards were sacked and new guards, supervised by the police, took over their duties. Emich suggests that only the administration of the night watch was replaced by a police official. Versteeg, *Van schout tot hoofdcommissaris*, 133; Emich, *Gezag in wording*, 63.

⁷⁹ GAA, 5053, inv.nr. 851, fol. 813-814.

⁸⁰ The literature does not give an exact date, nor does the archival material of the *nachtwacht*, *Garde soldée* and the sheriff and aldermen which I have consulted. GAA, 5053, inv.nr. 825, 6 Augustus 1811.

⁸¹ Archives nationales Paris, AF IV 1721, p. 392.

⁸² GAA, 363 (*Garde soldée*), inv.nr. 2A.

men became frustrated which alarmed the authorities.⁸³ Mid 1813 all guards were pulled out of the city, leaving Amsterdam without night guards. When the French troops withdrew from Amsterdam in November 1813 only 2 officers and 150 guards were left because they were in the military hospital.⁸⁴

The post-Napoleonic era

When the French withdrew from Amsterdam, 14 November 1813, the entire policing system was ‘decapitated’ as most French high administrators fled. The provisional urban government of Amsterdam ordered the colonel of the *schutterij* to maintain law and order, together with the National Guard.⁸⁵ Also the city was without nocturnal guards, because the *Garde soldée*, that had taken over the night watch duties, had been pulled out of Amsterdam. Slowly the soldiers came back to the city, fully armed and equipped, but were quickly transferred to the national army. Because there still was no night watch the *nachtwacht* was reinstated on 4 December 1813. The same three commissioners who had managed the night watch up to 1811 were put back in place.⁸⁶ At the same time the new central government took the opportunity to consolidate the centralized state. In essence the French policing system was left intact, only replacing the French nomenclature with Dutch equivalents. December 1813 Samuel Wiselius was appointed *directeur van politie* of Amsterdam, replacing the French titles of *commissaires générale* and *commissaris special*. In Amsterdam Wiselius was the highest in command, aided by several *commissarissen*. Wiselius purged his staff by replacing the twelve old *commissionnaires* by seven *commissarissen*.⁸⁷ Compared to the years before 1811 the city had a far smaller say in policing matters. On a national level the police became accountable to the Ministry of Justice and in particular to the *procureur-generaal* (General Solicitor) of the National High Court. On a departemental level the governor of Holland was officially responsible for the public order up to 1820, though in practice he restricted himself to the countryside and the smaller towns. On a local level Wiselius had to cooperate with the urban authorities. This was made difficult because there was no explicit distribution of competence between the city government and the director of police.

As head of police Wiselius was hostile towards the night watch, which he deemed a useless and dangerous relic of the past. In his opinion ‘that wretched night watch system should have never been revived’.⁸⁸ Shortly after his appointment, on 10 January 1814, Wiselius declared that all suspects apprehended by the night watch had to be transferred to his *commissarissen* of police – thus overruling the officers of the night watch. Also, in his view, a night guard was only allowed to catch a criminal red-handed. In all other cases the police had to be alerted. The night watch and burgomasters rejected Wiselius wishes, claiming they were not subordinate to the police. Therefore Wiselius appealed to the *procureur-generaal* of the National High Court. The *procureur-generaal* agreed with Wiselius that the *nachtwacht*, when it concerned police tasks,

⁸³ Governor Lebrun instructed the police to investigate whether the guards were planning a coup, which was the case. 23 February 1813 two conspiracy leaders were executed. Poell, ‘Het einde van een tijdperk’, 495-497.

⁸⁴ GAA, 363, inv.nr. 2A.

⁸⁵ Emich, *Gezag in wording*, 69.

⁸⁶ GAA, 363, inv.nr. 2A; GAA, 5225, inv.nr. 1068, 4 December 1813.

⁸⁷ Joh.C. Breen, ‘Enkele bijzonderheden over de politie in de laatste honderd jaren’, In *Amstelodamum. Maandblad voor de kennis van Amsterdam*, (1914) 13.

⁸⁸ Versteeg, *Van schout tot hoofdcommissaris*, 128.

was under the command of the director of police. Furthermore, Wiselius's policemen were ordered to do their rounds at night in order to keep an eye on the activities of the night watch and inspect the watch houses of the night watch. Evidently the night watch was not pleased, but there seem to have been few incidents in 1814. Only in February and June several night guards were dismissed by the urban commissioners of the night watch due to bad conduct.⁸⁹

A year later, on 18 Februari 1815, Samuel Wiselius took it one step further. Armed with the verdict of the National High Court he ordered his men to arrest every night guard that refused to live up to the rules.⁹⁰ This time the urban authorities turned to the General Solicitor of the High National Court. On 2 March 1815 the *procureur-generaal* reaffirmed that the right to arrest people was only accorded to the police, therefore arrests by the night watch had to be sanctioned by the police. The General Solicitor underlined that the citizenry had to be protected against possible 'arbitrary actions' by the night guards, implicitly agreeing with Wiselius that the *nachtwacht* could not be trusted. Nevertheless according to article 94 of the constitution, the local governments could draw up their own administrative regulations. So the police did not have the exclusive rights to maintaining public order, according to the *procureur-generaal*. He informed the burgomasters they could do as fit to approve the night watch system.⁹¹ The burgomasters were not convinced. They pointed to the fact that the night watch system was not formally regulated. Therefore night guards did not get paid for arresting a suspect. And should every night guard wait until the police arrived in the morning, they would lose a lot of time. Besides that the night guards were not paid for the hours after their shift, so this practice would go at the expense of their 'mostly poor families'. Nor was it beneficial to public safety: night guards would spend their time guarding a suspect indoors. Consequently, the burgomasters decided on 16 March 1815 that every arrest person had to pay a fine to the police that on its turn had to pay the commissioners of the night watch. These would take care of rewarding the guards.⁹² In this way the *nachtwacht* could bend the law without breaking it by fining people. But when the Minister of Internal Affairs got wind of this loophole, he urged the burgomasters to withdraw the law. Otherwise he would nullify it himself: an arrest by a night watch could never lead to a fine, was the opinion in The Hague.⁹³

The relationship between the police and the night watch remained troublesome: policemen and night guard often quarrelled. Policemen continually checked on the guards, which on their turn were not inclined to be cooperative.⁹⁴ Vice versa, the police force of Amsterdam was exposed to a lot of criticism by the citizenry. Policemen were suspect of committing blackmail (a practice that some 25 years would have been seen as lawfull *compositie*) and the Province of Holland received numerous complaints.⁹⁵ That the police was still not completely accepted can also be illustrated by another conflict in 1822 and 1823 concerning the police and the civic militia. The *schutterij* – that had successfully survived the Napoleonic era – was

⁸⁹ GAA, 5225, inv.nr. 7, nr. 70.

⁹⁰ GAA, 5225, inv.nr. 1068, 15 February 1815.

⁹¹ GAA, 5225, inv.nr. 1068, 2 March 1815.

⁹² GAA, 5225, inv.nr. 7, nr. 32.

⁹³ Versteeg, *Van schout tot hoofdcommissaris*, 120.

⁹⁴ GAA, 5225, inv.nr. 1068, 22 March 1817, 12 September 1817.

⁹⁵ Noord-Hollands Archief, Haarlem (NHA), 16 (Provinciaal Bestuur, 1814-1850), inv.nr. 2832, band I, October-November 1818.

officially re-established in 1815. Its task was mainly to preserve public rest. A new aspect of the *schutterij* was that it was also nationally regulated and became accountable to the Ministry of Internal Affairs and Governor of the Province. Just like before its ceremonial value was of the greatest importance and it was an instrument for elite networking. Being an important persona, Wiselius was also a member of the *schutterij*.⁹⁶ Nevertheless, it still infringed on the rights of the police. In the case of fire the civic militia was expected to keep public order. While the firemen were busy putting out the fire the task of the *schutterij* was ‘to carefully prevent the taking of goods from the burning or neighbouring houses’.⁹⁷ During a specific fire in 1822 Wiselius claimed the police were hindered by the *schutters* that refused to take orders. According to Wiselius, the *schutterij* consisted of troublemakers, and he took it to the governor of the Province of Holland to be proven right. But according to the burgomasters of Amsterdam there had not any problems. In 1823 the director of police again wrote a letter stating that *schutters* were unhelpful and should adhere to 1815 regulations. The governor intervened and Wiselius had to apologize to *schutterij*, against his will, and untruthfully said he held the *schutterij* in high esteem and that his complaints were only directed to individual militia members.⁹⁸

Finally in 1822 came a special instruction for the four *directeuren van politie* that were appointed in Amsterdam, Rotterdam, The Hague and Utrecht. When it concerned criminal prosecution the director was complete autonomous from the urban government and solely accountable to the *procureur-generaal*. But when it concerned public order the director of police had to confer with the city. In 1824 the urban municipalities were also instructed to care for the public rest in the city, mainly by giving them the right to appoint all police agents (50 in total) and the right to command the *schutterij*. In sum, the director and his commissioners were appointed by the king, their personnel by the city.⁹⁹ Only in the 1840’s and 1850’s the Dutch policing system would be thoroughly reformed.

Conclusions

This article aimed to shed light on the development of urban public services by looking at the transition of the early modern system of policing towards a modern police force.

Which developments can be discerned on a local level? To begin with, public security in early-modern Amsterdam consisted of a mosaic of actors. Partly tasks were delegated to citizens, notably the *nachtwacht* and *ratelwacht*. Probably individual inhabitants regulated the behaviour of their fellow citizens but there is no strong evidence for a ‘bottom-up’ neighbourhood system.¹⁰⁰ Unwillingness of citizens hampered the provisioning of policing services: Amsterdam increasingly depended on paid guards instead of citizens exercising their civic duties – a practice that was institutionalized around 1800. The French historian Catherine Denys sees the United Provinces as an exception to the European rule that civic militias became less important during the 18th century, especially when it came to replacing volunteers by paid guards. But the rosy

⁹⁶ H. Huurman, *Verzetten of aanpassen? De Amsterdamse schutterij onder Willem I* (Paper Master Seminar Social History: University of Amsterdam, 2008).

⁹⁷ GAA, 5225, inv.nr. 9, nr. 138.

⁹⁸ Mertens, ‘Een kwestie van bevoegdheid’.

⁹⁹ Fijnaut, *Een staatsinstelling*, 53.

¹⁰⁰ In a forthcoming article on the keeping of the public order in Amsterdam I will further elaborate on this.

picture painted by Denys can be nuanced: Amsterdam closely resembles the ‘intermediate situation’, as in large parts of Flanders and France, in which the civic militia only formally was responsible but in fact delegated important tasks like the night watch.¹⁰¹ Furthermore, entrusting civilians or civil corporations with policing tasks might have been practical, it could pose a threat to public order. The case of the civic militias illustrates this as well. Instead of suppressing disturbances, militia members frequently caused them. Between 1795 and 1810 there have been numerous incidents between the sheriff, its *dienaren* and the night watch on the one hand (the official police force), and the armed citizens and soldiers on the other hand. For instance, the *Gewapende Burgermacht* guarded the prison in the cellars of the City Hall, the infamous *boeien*. The armed citizens often obstructed the work of the night watch and *dienaren*, either by refusing to imprison a criminal that had been arrested by the *nachtwacht* or *dienaren*, or even by attacking them and releasing the suspect. Similar confrontations took place between the police force and soldiers.¹⁰² However, after 1813 the central and local administrations did not go on the warpath but strategically entrusted tasks to civil organizations.

On a national level we see growing conflicts between the cities, the provinces and the central state. The transition from an autonomous urban policing force to a centralized police force was indeed a drastic change. Between 1795 and 1813 there were frequent clashes between the newly formed unitary state and the city. It is striking that from 1801 onwards there have been differing opinions about the distribution of competences between the city, the departments and the central government. The Batavian Republic struggled to realize its ideal of the ‘one and indivisible’ state. Louis Bonaparte was quite successful in merging Dutch traditions (like the *nachtwacht*) with centralized policy, though he frequently overshot his mark, for instance with the *schutterijen*. At the moment Holland was incorporated into the French Empire in 1810, it had already developed new designs for a modern police force, partly drawing from the Batavian plans and partly from the Napoleonic *police*. It was the Napoleonic annexation that had eradicated the lower administrations and introduced state power from the top. During the post-Napoleonic era the idea of a centralized state became accepted, though still not completely. All in all, the keeping of the public order after 1815 is a good example of the ‘Dutch model’ – on the one hand the centralized French system of police was maintained, on the other hand early modern corporations as the civic militias and the night watch were reinstated. The ambiguous new system of policing led to numerous misunderstanding; nevertheless was rather effective. Though police men were often puzzled who was in charge – The minister of police? The provincial governor? The burgomaster? The *directeur*? – the actual number of incidents was in fact very small. As Mieke Mertens has recently shown there were surprisingly little conflicts between the city of Amsterdam and the central government when it came to the police early in the 19th century, except for the incidents in 1814 and 1823 that she attributes to the difficult character of the local *directeur van politie*. The urban government of Amsterdam did not protest against centralization for itself.¹⁰³

¹⁰¹ Catherine Denys, ‘The development of police forces in urban Europe’, in *Journal of Urban History*, forthcoming 2009.

¹⁰² See e.g. GAA, 5061, inv.nr. 30, fol. 120v-121v; inv.nr. 39, fol. 206-207, 250; inv.nr. 42, fol. 303-304.

¹⁰³ Mieke Mertens, ‘Een kwestie van bevoegdheid’, In *Skript Historisch Tijdschrift*, 29 (2007) 25-32, 31.

In sum, the development of urban public services was a complicated process, with no linear development. This was not only the case with policing. Many services were partly appropriated by the (central) state and partly in the hands of semi-official collectives of citizens. This organization would last well into the 19th century. Thorbecke's constitutional reforms of the 1840's did not entail an increasing centralization. He emphasized the shared responsibilities between the central state and provincial and local institutions. Only at the end of the 19th century the tide began to turn.